

PATENT
ATTORNEY DOCKET NO.: 054945-0023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent No. 5,434,171)
Granted: July 18, 1995)
Patentees: Scott A. FRANK *et al.*)
Assignee: Eli Lilly and Company)
FOR: PREPARATION OF 3,4,4-)
TRISUBSTITUTED-PIPERIDINYL-N-)
ALKYLCARBOXYLATES AND)
INTERMEDIATES)

HATCH-WAXMAN PTE
ENTEREG® (alvimopan) US Patent No. 5,434,171

Date January 20, 2011
VIA FACSIMILE

CORRECTION OF RECORD

AND

**WITHDRAWAL OF APPLICATION FOR PATENT TERM
EXTENSION IN FAVOR OF COENDING APPLICATION**

Sir:

With reference to the Notice of Final Determination mailed January 3, 2011, Applicant first wishes to clarify the record and correct what appears to be a clerical error in the Notice with regard to the "Expiration Date of Extension." The correct "Expiration Date of Extension" should read "December 8, 2018" rather than 2013, which is five years from the "Original Expiration Date" of December 8, 2013, *had this application been elected for extension.*

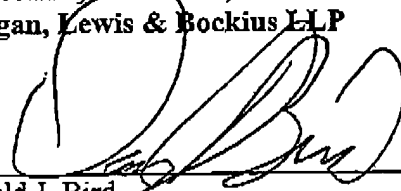
However, with reference to the Notice of Final Determination mailed January 3, 2011 and pursuant to the provisions of 37 CFR 1.785(b), Applicant hereby withdraws the subject Application for Patent Term Extension in favor of the copending Application for Patent Term Extension of U.S. Patent No. 5,250,542, which patent has been elected for extension by separate document filed this day in the latter Application.

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U.S. Patent No.: 5,434,171
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Please continue to address all inquiries and correspondence relating to this application for patent term extension to the following registered practitioner, who is counsel for the marketing applicant and authorized to act on behalf of the patent owner with respect to this Application and all correspondence pertaining hereto:

Donald J. Bird
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1111 Pennsylvania Avenue, N.W.
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Respectfully Submitted,
Morgan, Lewis & Bockius LLP



Date: January 20, 2011
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By:

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FAX TRANSMISSION

DATE: January 20, 2011
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MESSAGE TO: Attention: Mary C. Till
COMPANY: USPTO Office of Patent Legal Administration
Hatch-Waxman PTE
FAX NUMBER: (571) 273-7755
FROM: Donald J. Bird
PHONE: 202-739-5320

PAGES (Including Cover) 3 HARD COPY TO FOLLOW ☐ YES ☒ NO

MESSAGE: **Re: Application for Patent Term Extension**
US Patent No. 5,434,171
ENTEREG® (alvimopan)

Please see the attached **CORRECTION OF RECORD AND WITHDRAWAL OF APPLICATION FOR PATENT TERM EXTENSION IN FAVOR OF COPEING APPLICATION** by which Applicant withdraws the subject application for extension in favor of the copending Application for Patent Term Extension of U.S. Patent No. 5,250,542, which patent has been elected for extension by separate document filed simultaneously herewith.

Thank you.
Donald J. Bird

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at 202.739.3000 and send the original transmission to us by return mail at the address below.

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